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7 Attorney for Kirk Balducci

8 **UNITED STATES DISTRICT COURT**  
9 **DISTRICT OF NEVADA**

10 UNITED STATES OF AMERICA,  
11 Plaintiff,  
12 v.  
13 KIRK BALDUCCI,  
14 Defendant.

Case No. 2:21-cr-00299-JAD-NJK-1

**UNOPPOSED MOTION TO MODIFY  
ORDER MODIFYING CONDITIONS  
OF PRE-TRIAL RELEASE AT ECF  
NO. 62**

16 Kirk Balducci through his attorney, Rebecca Levy, Assistant Federal Public Defender,  
17 respectfully moves this Honorable Court to modify the Order at ECF No. 62 to allow  
18 Mr. Balducci to travel to California, not Florida, from April 15, 2023 through April 17, 2023.

19 DATED: March 17, 2023

20 RENE L. VALLADARES  
Federal Public Defender

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22 By: /s/ Rebecca Levy

23 REBECCA LEVY  
Assistant Federal Public Defender  
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**ARGUMENT**

Mr. Balducci was charged in a three-count indictment, with Distribution of a Controlled Substance – Methamphetamine, a violation of 21 U.S.C. §§ 841(a)(1) and (b)(1)(A)(viii). *See* ECF No. 6. Mr. Balducci made his initial appearance on November 17, 2021. ECF No. 9. Mr. Balducci was released from custody by agreement of the parties. *See* ECF No. 9. Pursuant to his release conditions, Mr. Balducci has a travel restriction in place requiring him to remain in Nevada. ECF No. 16.

Since Mr. Balducci's release, he has stable housing, has been cooperative and has plans for full-time employment. On February 17, 2023, Mr. Balducci was accepted into the RISE Court program and made his first appearance. ECF No. 52.

Mr. Balducci requests this Court modify his conditions of release, specifically condition #20 of his PR bond that he cannot travel and allow him to drive to California with his girlfriend and her children for vacation. While in California, Mr. Balducci will be staying at a hotel at an address he will provide to his Pretrial Officer.

**CONCLUSION**

Mr. Balducci is requesting this Court modify the prior Order modifying conditions of his release and allow him to travel to California from April 15, 2023 through April 17, 2023.

DATED: March 21, 2023.

Respectfully submitted,

RENE L. VALLADARES  
Federal Public Defender

By: /s/ Rebecca Levy  
Rebecca Levy  
Assistant Federal Public Defender  
Counsel for Kirk Balducci

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

UNITED STATES OF AMERICA,

Plaintiff,

v.

KIRK BALDUCCI,

Defendant.

Case No. 2:21-cr-00299-JAD-NJK-1

**ORDER**

Pending before the Court is Defendant Kirk Balducci's motion to modify Order modifying conditions of pretrial release. ECF No. 62. Defendant asks the Court to temporarily modify his pretrial conditions to allow him to travel to California for a vacation with his girlfriend and her children from April 15, 2023, through April 17, 2023. Defendant submits that neither his Pretrial Services Officer nor the United States objects to this request.

Accordingly, Defendant's unopposed motion to modify Order modifying conditions of pretrial release, Docket No. 64, is hereby GRANTED. Defendant's conditions of release are temporarily modified to allow him to travel to California for a vacation with his girlfriend and her children from April 15, 2023, through April 17, 2023. No later than 10:00 a.m. on March 31, 2023, Defendant must provide his entire itinerary, including travel dates and times, where he will stay, where he will go, and with whom he will travel, stay, and meet while he is outside of Clark County, Nevada to his Pretrial Services Officer, and he must file a notice on the docket that he has complied with this order. Further, Defendant must contact his Pretrial Services Officer within 24 hours of his return to Las Vegas.

IT IS SO ORDERED.

DATED: March 22 , 2023.

  
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NANCY J. KOPPE  
UNITED STATES MAGISTRATE JUDGE